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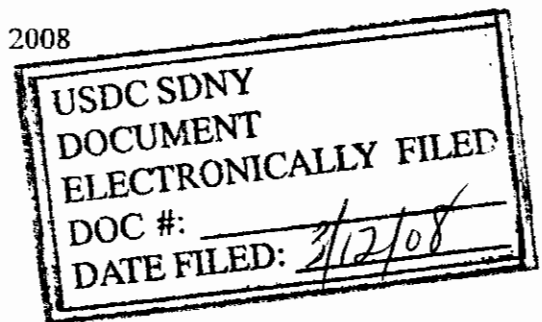
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March 10, 2008

## VIA OVERNIGHT MAIL

Honorable Loretta A. Preska  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 1340  
New York, NY 10007



Re: *Altadonna, et al. v. Broome Mercer Corp., et al.*  
Docket No.: 07 Civ. 6668 (LAP)  
Our File No.: 06-417

Dear Judge Preska:

We represent the defendants in the above-referenced matter. For the reasons set forth below, we write to request a 45 day extension of the March 31, 2008 discovery deadline.

As set forth in the parties' prior correspondence to the Court, the production of written discovery took longer than anticipated, delaying the commencement of depositions. In this regard, plaintiff sought to obtain documents relating to their claims of damages and defendants sought documents relating to plaintiffs' wage claims.

We have recently attempted to schedule the party depositions by the present discovery deadline of March 31, 2008, however, have encountered scheduling difficulties of both witnesses and counsel. In this regard, the parties' individual work schedules have resulted in a limited number of available days for the depositions. Additionally, as far as the attorneys handling the matter from this firm, we have multiple hearings and court ordered depositions that have presented scheduling conflicts. Similarly, plaintiffs' counsel also indicated a number of dates they are unavailable.

**MIRANDA SOKOLOFF SAMBURSKY SLONE VERVENIOTIS LLP**

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**HONORABLE LORETTA A. PRESKA**

**MARCH 10, 2008**

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Toward this end, we have reached an agreed upon schedule with plaintiff's counsel that would call for the three plaintiffs to be deposed on March 14, 17, and 25, 2008. Defendants Lynn Herwitz and Gil Cohen would be deposed on April 2 and 3, 2008, respectively.

Following the completion of party depositions, defendants intend to depose anywhere from 3-6 non-parties as identified by plaintiffs as potential witnesses to the allegations. The number may increase based on the deposition testimony of the plaintiffs. Thus far, plaintiffs have provided 3 affidavits from non-parties regarding the events at issue.

We respectfully submit that the requested extension to May 15, 2008, should allow the parties with sufficient time to complete discovery, as well as to encounter any issues that may arise out of the party depositions. Accordingly, we also request an extension of the related deadline by which to initiate filing for summary judgment.

This is the first request for an extension of the discovery deadline. We have advised opposing counsel of our intention to submit this request and they do not oppose our request.

Thank you for your consideration of this matter.

Respectfully submitted,

**MIRANDA SOKOLOFF SAMBURSKY  
SLONE VERVENIOTIS LLP**

Adam I. Kleinberg

cc: Carolyn Horan, Esq. (via fax)

*A pplication to extend  
discovery period to May 15, 2008  
which is unopposed is  
granted.*

*SO ORDERED.  
JSP  
3-12-08*